

Regulatory Compliance

Comments

L-0049/007

Section 3.4.11.3, page 3.41, line 21. The maximum values should also be compared to EPA's standard of 10 mrem from air pathways (and 4 mrem from drinking water).

Response

The HSW EIS evaluations estimate that the potential air pathway dose from stack emissions to a maximally exposed individual would be 0.22 mrem per year during the operational period. Pursuant to the DOE Radioactive Waste Management Manual (DOE 2001b), the dose to representative members of the public via the air pathway may not exceed 10 mrem per year. The dose to the public from all exposure pathways may not exceed 25 mrem per year.

Drinking water doses reported in Volume I Section 5.11 are reported as CEDE for comparison with the DOE standard for dose to members of the public in DOE Order 5400.5 (DOE 1993). The 4 mrem/y DOE drinking water standard is intended to provide a level of protection comparable to the 4 mrem/y total body standard in 40 CFR 141. For a direct comparison to the 40 CFR 141 standards, groundwater concentrations are compared to the MCLs, as reported in Volume I Section 5.3 and Volume II Appendix G. That comparison is equivalent to calculating the total body CEDE or specific organ CDE, which is the basis for the MCLs.

The action alternatives analyzed in the HSW EIS are not expected to result in groundwater contamination that will exceed benchmark maximum contaminant levels (MCLs) or applicable regulatory standards at the 1-km or Columbia River lines of analysis. By the time the waste constituents from this action are predicted to reach groundwater (hundreds of years), as projected and shown in the concentration-versus-time figures in Volume I Section 5.3, they will not exceed the concentration levels (or the dose limits), because the existing groundwater concentrations will have decreased by then. Cumulative groundwater impacts from the proposed action would not exceed applicable benchmark standards or MCLs.

Comments

L-0044/025

Vol I, Sec. 5.11 Drinking water dose, and comparison to standards: Tables of drinking water doses are presented in Section 5.11 and graphs of drinking water doses are presented in Appendix F. Section F.1.6 (page F.44) explains that the drinking water doses are reported as committed effective dose equivalent (CEDE). The tables in Section 5.11 and the graphs in Appendix F then compare the resulting drinking water doses to a 4 mrem/y (presumably also as CEDE) drinking water benchmark. It should be noted that the EPA drinking water standard is not 4 mrem/y CEDE. The standard consists of MCLs for H-3, Sr-90, and alpha emitting radionuclides (including uranium) and consists of a 4 mrem/y committed dose equivalent CDE (not committed effective dose equivalent CEDE) limit to the most sensitive organ for beta and gamma emitting radionuclides. Dose equivalent and effective dose equivalent differ by organ weighting factors and are not the same quantities. Therefore, it is not appropriate to compare the resulting CEDE drinking water doses to a 4 mrem/y CEDE benchmark, because it has no regulatory basis.

From a regulatory perspective, to make a more credible comparison to a drinking water benchmark, resulting drinking water doses for uranium should be compared to the drinking water MCL for uranium. For the remaining radionuclides analyzed (C-14, Tc-99, I-129), there are two possibilities. The first method is to calculate the CDE doses to the most sensitive organ (instead of CEDE) and compare those to the 4 mrem/y CDE EPA drinking water standard. The second method is to simply compare the groundwater concentrations to the individual EPA drinking water MCLs. This is already carried out in Section 5.3 of the HSW EIS. (Note: these MCLs are not necessarily equivalent to 4 mrem/y CDE to the most sensitive organ, as in many cases they are based on decades old science).

Regulatory Compliance

Response

Drinking water doses reported in Volume I Section 5.11 are reported as CEDE for comparison with the DOE standard for dose to members of the public in DOE Order 5400.5 (DOE 1993). The 4 mrem/y DOE drinking water standard is intended to provide a level of protection comparable to the 4 mrem/y total body standard in 40 CFR 141. For a direct comparison to the 40 CFR 141 standards, groundwater concentrations are compared to the MCLs, as reported in Volume I Section 5.3 and Volume II Appendix G. That comparison is equivalent to calculating the total body CEDE or specific organ CDE, which is the basis for the MCLs.

Comments

L-0044/001

The RHSW EIS fails to recognize to understand the characterization and monitoring needs to achieve regulatory compliance. There are gaps in characterization, assessment and other pertinent data for the assessment and associated implications.

Response

The HSW EIS, as a NEPA document, is not intended to function as, or contain the same information as, a compliance agreement, a permit application, or a management plan under other Hanford regulatory programs. The HSW EIS provides information to support DOE's decision-making process at Hanford, and DOE recognizes that additional specific information will be needed to support future regulatory processes.

Groundwater monitoring is conducted according to TPA requirements, the Hanford Dangerous Waste Management permit, and DOE Orders. Groundwater monitoring will be expanded as necessary according to agreements between DOE and regulatory agencies to support future waste management operations.

Groundwater contamination beneath the Hanford Site is being studied and remediated by the ongoing CERCLA program in accordance with the Tri-Party Agreement. The CERCLA process considers legally applicable Federal, State, and local laws or relevant and appropriate requirements (ARARs). Any decisions reached by DOE on the basis of analysis in the HSW EIS would be implemented in accordance with applicable Federal, State, and local laws and regulations. See Volume II Appendix N, Section N.2.4.

Comments

E-0054/001

The EIS fails to describe the characterization and monitoring needs to meet regulatory compliance, characterization, assessment, and other pertinent data gaps for the assessment and associated implications.

The EIS must assess current conditions and their impacts, along with the impacts of failing to be in compliance with groundwater monitoring requirements.

The EIS must consider reasonable plans for bringing the existing facilities, especially the Low-Level Burial Grounds, into compliance with Section 3004 and 3005 of the Solid Waste Disposal Act and Washington State regulations.

The USDOE ignores RCRA closure, post closure, and corrective action requirements for the entire burial grounds.

The revised draft HSWEIS Does Not Acknowledge information / or conditions on the suspected releases from the burial grounds (e.g. LLWMA4, and the commercial US Ecology site) and deficiencies associated with existing groundwater monitoring network.

Regulatory Compliance

L-0044/006

The text of the RHSW EIS refutes or does not address the applicability of RCRA closure, post closure and corrective action requirements for the all of the burial grounds.

Response

The HSW EIS, as a NEPA document, is not intended to function as, or contain the same information as, a compliance agreement, a permit application, or a management plan under other Hanford regulatory programs. The HSW EIS provides information to support DOE's decision-making process at Hanford, and DOE recognizes that additional specific information will be needed to support future regulatory processes.

Volume I Section 6 identifies the major statutes, permits, compliance agreements, and regulatory requirements followed in conducting operations at Hanford Site. Statutes include AEA, CERCLA, RCRA and the State of Washington Hazardous Waste Management Act. Volume I Section 6.3 discusses the TPA. Volume I Section 6.4 discusses the Dangerous Waste Management permit. Volume I Section 6.19 provides a summary of existing and potential permits (including state approved permits where state decision-making will be necessary) required to construct and operate treatment, storage, and disposal facilities related to the HSW EIS alternatives. Volume I Section 6 has been updated and revised in response to comments in the final HSW EIS.

Comments

E-0043/064, EM-0217/064, EM-0218/064, L-0056/064, LM-0017/064, LM-0018/064

1) The draft EIS should consider the delay to the construction of TRU processing facilities required under Tri-Party Agreement (TPA) Milestone 91. The draft EIS also should consider the impact from delayed/lesser TRU waste retrieval and the impacts of importing TRU.

2) Processing and handling of offsite wastes should not delay processing of Hanford wastes.

Response

Volume I Section 6 identifies the major statutes, permits, compliance agreements, and regulatory requirements followed in conducting operations at Hanford Site. Statutes include AEA, CERCLA, RCRA and the State of Washington Hazardous Waste Management Act. Volume I Section 6.3 discusses the TPA. Volume I Section 6.4 discusses the Dangerous Waste Management permit. Volume I Section 6.19 provides a summary of existing and potential permits (including state approved permits where state decision-making will be necessary) required to construct and operate treatment, storage, and disposal facilities related to the HSW EIS alternatives. Volume I Section 6 has been updated and revised in response to comments in the final HSW EIS.

The HSW EIS evaluates several alternatives for the storage, treatment, and processing of waste from onsite and offsite generators. Evaluations in the WM PEIS, the HSW EIS, and related NEPA documents indicate that additional wastes could be handled at Hanford without complicating future remediations, or diverting resources or disposal capacity from other Hanford cleanup activities.

Comments

F-0022/001

In the revised draft I would like to see a comparison study of the solid waste facility in New Mexico and that of Hanford's. I am interested in knowing if the standards of safety are the same. If they are not, and if they show Hanford as being below those safety standards then I would like to see in writing the current steps that are being taken.

L-0044/048

Vol. I, Sec. 6.0 DOE makes several remarks regarding their authority under AEA and also regards Ecology's

Regulatory Compliance

authority for the hazardous component of mixed waste; however, there is no discussion about the regulatory authority over mixed wastes with regard to decision-making.

L-0044/051

Vol. I, Sec. 1.7.3.2 Acquisition of treatment capacity for mixed low level waste and transuranic waste presumes that Hanford facilities (e.g., T Plant) would be modified. Expansion of these facilities will be subject to modifications of existing permits. The USDOE must comply with the provisions of WAC 173-303-830(4) to modify the permits and WAC 173-303-282 if the facilities will be expanded.

L-0044/065

The following regulations from the HFFACO should also be included in the evaluation in Section 6.1 for applicability: Nuclear Energy and Radiation Act – Chapter 70.98 RCW [Revised Code of Washington], and implementing regulations; Water Well Construction Act – Chapter 18.104 RCW, and implementing regulations; Water Pollution Control Act – Chapter 90.48 RCW, and implementing regulations; Regulations of Public Groundwaters – Chapter 90.44 RCW; Washington State Water Code – Chapter 90.03 RCW; Washington State Environmental Policy Act – Chapter 43.21C RCW, and implementing regulations.

L-0044/066

In Section 6.1, the following State laws and their implementing regulations governing air emissions should be added: Washington Clean Air Act - Ch. 70.94 RCW and Department of Ecology - Ch.43.21 RCW; WAC 173-470 through WAC 173-481 (referenced as footnotes on Table 4.6 [Volume I]).

L-0044/072

DOE states that “The CEQ regulations implementing NEPA (40 CFR 1502.25[b]) require that a draft EIS list all federal permits, licenses, and other entitlements that must be obtained to implement the alternatives.” No information for permits required for modified and/or new construction as proposed in the alternatives appear in the list. Instead, DOE included a general statement that “DOE would obtain appropriate required permits for any new or modified facilities.” Specific information on the types of permits for new/modified facilities should be added to Table 6.1.

L-0044/094

Original comment #46 asked for more information regarding the evaluation of commercial treatment facilities and the concept of shipping waste directly from the point of origin to treatment – not via Hanford. DOE’s provides the following important response: “All MLLW from off-site generators is assumed to be treated prior to being received at Hanford for disposal.” This sounds like Hanford is not being used as a treatment or storage facility, only a disposal facility. Please clarify that MLLW must be stored in compliance with the Dangerous Waste regulations, which includes proper characterization and packaging.

TPO-0013/008

Do you really believe that these proposals enable you to comply with all applicable laws?

TSE-0024/003

I also think that an Environmental Impact Statement, I don't know if it is under the NEPA law, but you should be aware all of the federal laws, state laws and local laws that are being broken by your actions.

Response

Volume I Section 6 identifies the major statutes, permits, compliance agreements, and regulatory requirements followed in conducting operations at Hanford Site. Statutes include AEA, CERCLA, RCRA and the State of Washington Hazardous Waste Management Act. Volume I Section 6.3 discusses the TPA. Volume I Section 6.4 discusses the Dangerous Waste Management permit. Volume I Section 6.19 provides a summary of existing and potential permits (including state approved permits where state decision-making will be necessary) required to construct and operate treatment, storage, and disposal facilities related to the HSW EIS alternatives. Volume I Section 6 has been updated and revised in response to comments in the final HSW EIS.

Regulatory Compliance

DOE believes this HSW EIS complies with applicable NEPA requirements.

Comments

E-0053/001

USDOE's Performance Assessment is based on the burial grounds meeting "Performance Objectives" that allow radiation doses of 25 mrem per year to the public and continuous exposure to 100 mrem per year of radiation following reasonably foreseeable intrusions into the waste sites. Doses of 500 mrem per year are considered acceptable by USDOE for a single exposure following intrusion.

Rather than designing the burial grounds to meet the applicable EPA and Washington State standards, USDOE sets "performance objectives" (which are not regulatory rules) in DOE Order 5820.2A for general public exposure from all pathways and post-intrusion exposures.

EPA has specifically called the 25 mrem per year annual exposure an "unacceptable health risk". This radiation dose is fifty times the allowable carcinogen risk under Washington's Model Toxics Control Act.

USDOE's performance objective for reasonably foreseeable continuous annual exposure after intrusion into the burial grounds results in 2 fatal cancers for every 1,000 adults exposed. It is now generally accepted that children are 5 to 8 times more susceptible to cancer from ionizing radiation exposure than adults. For children, post intrusion risk deemed acceptable under USDOE's performance objective could be as high as 1 in 100. (Washington State law sets the standard as 1 additional cancer in 100,000 from all carcinogens remaining on the site).

Response

DOE and NRC regulated LLW disposal facilities are subject to the 25 mrem per year standard in DOE Order 435.1 (DOE 2001b) and 10 CFR 61, respectively. The Washington State Department of Health has adopted the NRC standard. EPA has not promulgated a 15 mrem per year standard.

It should be noted that the long-term impact analyses presented in the EIS are based upon conservative assumptions including loss of institutional control, barrier (cap) failure, and no continuing maintenance. CERCLA and MTCA standards and other comparative benchmarks used in the EIS are based upon different assumptions such as continuing institutional control and maintenance of barriers. When these types of assumptions are applied to the disposal action evaluated in the HSW EIS the long-term impacts are substantially reduced. The HSW EIS has been revised in response to comments concerning the overly conservative nature of the EIS evaluations, to provide perspective on long-term performance when assumptions of continuing human ability to maintain barriers and controls are utilized. See for example, discussion of assumption of intact barriers, Volume I Section 5.3.5 and Volume II Appendix G Section G.4.

Estimates of cancer risk in populations represent composites that account for the range in sensitivities of various members of the population, including children as well as adults.

Comments

L-0041/044

As discussed in the EIS, the use of reactive barriers, engineering redundant systems, and aggressive immobilization techniques will be required to avoid exceeding dose and risk values in the future. At a minimum, DOE should use existing hazardous waste cell designs, coupled with vadose and in-cell monitoring methods, and robust final caps to redundantly engineer protectiveness into the final product. Modeling of the "as constructed" buried waste containment system should be completed prior to finalizing the ROD, using a waste form that exhibits appropriate performance criteria.

Regulatory Compliance

Response

Several mitigation measures have been built into the alternatives addressed in the final HSW EIS, including installation of barriers, liners, and leachate collection systems in disposal facilities; treatment of MLLW to meet applicable RCRA and state requirements; and in-trench grouting or use of HICs for Cat 3 LLW and MLLW.

The Record(s) of Decision will comply with applicable NEPA requirements.

Federal RCRA Subtitle C and related state hazardous waste management regulations require that radioactive and hazardous mixed waste land disposal units meet minimum technical standards to prevent releases. The standards include a system of multiple liners to prevent leakage into groundwater, a leachate collection system, groundwater monitoring wells, a multi-layer cap to prevent infiltration of rain and snow, stringent waste treatment standards, and a program of monitoring, inspection, and reporting during the period of operation and after closure. These standards will apply to all new mixed waste disposal units evaluated in the HSW EIS. The RCRA Subtitle C regulations are not applicable to radioactive wastes that do not exhibit hazardous waste characteristics or contain listed hazardous waste, and RCRA standards are not applicable to LLW land disposal units. Although disposal of low level waste in unlined trenches is an established, legal, and environmentally protective disposal method, the preferred alternative includes the use of Hanford LLW disposal unit designs that have essentially the same engineering controls as RCRA mixed waste disposal units (liners, leachate collection, and caps). Volume I Section 2.2.3 discusses disposal facilities and their environmental protection features as evaluated in this EIS. As permitting and design work on the selective alternative is conducted, DOE may consider enhancing these facility designs. For example, permeable reactive barriers are discussed in Volume II Appendix D Section D.4.

Comments

L-0044/007

In the Dangerous Waste Part A permit application, the entire unit is RCRA regulated. The entire LLBG disposal waste management unit is permitted under the DW portion of the Hanford RCRA Permit as RCRA TSD unit (as per LLBG dangerous waste permit application, Form 3, Rev 12). The LLBG unit must comply with interim status standards pending insertion of the facility-specific permit into the sitewide permit. The entire RCRA TSD is subject to RCRA closure, post-closure, and RCRA corrective action (where applicable) requirements of WAC 173-303.

L-0044/049

Vol. I, Sec. 6.19 In this section, DOE identifies the various Hanford facilities that would be involved in implementing the alternatives including the LLW trenches and the MLLW trenches. This is incorrect in that the LLW trenches and the MLLW trenches are not separate units. They are both part of the LLBG unit and are being permitted as such. Within the LLBG Part B permit, the MLLW trenches will be permitted for operation and the LLW trenches will be on a compliance path to closure. The entire TSD unit will be assessed for compliance with permitting requirements, including those for closure, post-closure, corrective action, RCRA/CERCLA integration, and groundwater monitoring. DOE makes the clear distinction that the Hanford RCRA Permit is "not applicable" to the LLW trenches. This is in error and needs to be corrected.

L-0044/053

From the regulatory description of the LLBG unit included in Appendix D, it is clear that USDOE does not consider the majority of the LLBG units to be regulated under RCRA. The entire LLBGs (Low-Level Waste Management Units 1-5 and other Burial Grounds) are permitted (interim status) as a RCRA TSD unit as per the Low-Level Burial Grounds Dangerous Waste Permit Application, Form 3, Revision 12, 07/01/2002. The entire RCRA TSD is subject to RCRA closure and post-closure requirements of WAC 173-303-610. Furthermore, as a land-based TSD, the entire LLBG unit is subject to RCRA groundwater monitoring requirements of WAC 173-303-400 (interim status) and, upon permit issuance, 645 (final status).

Regulatory Compliance

L-0044/055

TPA section 5.3 states: "Unless closed in accordance with Sections 6.3.1 or 6.3.3, TSD units shall be permitted for either operation or post closure care pursuant to the authorized State Dangerous Waste Program (173-303 WAC) and HSWA. Prior to permitting or closure of TSD units, DOE shall achieve (in accordance with the work schedule contained in Appendix D) and maintain compliance with applicable interim status requirements. All TSD units that undergo closure, irrespective of permit status, shall be closed pursuant to the authorized State Dangerous Waste Program in accordance with 173-303-610." Clearly, the LLBG unit is subject to the groundwater monitoring requirements of WAC 173-303.

L-0044/057

Figures D.1, D.2, D.3, D.4, D.5, D.6, D.7, and D.8 are very similar to those found in Low-Level Burial Grounds Dangerous Waste Permit Application, Form 3, Revision 12, 07/01/2002. However, the figures included in Appendix D of the EIS have been modified to remove the designation of the entire units as "treatment, storage, and/or disposal area". Therefore, the figures included in Appendix D of the EIS are not consistent with the RCRA Part A for the Low-Level Burial Grounds.

L-0044/133

The Revised HSW-EIS appears to assert that only certain low level burial grounds will be subject to dangerous waste management processes. All of the low level burial grounds appear in on the Dangerous Waste Permit application, Part A, Form 3. They are part of a treatment, storage and disposal (TSD) unit and must be managed accordingly.

Response

DOE is permitted under RCRA interim status authorization to dispose of MLLW at Hanford. The text has been revised to indicate that DOE is working with Ecology to determine the extent of LLBG coverage in the final status permit. Appropriate investigation of waste disposed in the LLBGs prior to 1987 would be made in accordance with applicable CERCLA or RCRA requirements.

TPA Milestone M-15-00C requires all 200 Area, non-tank farm, pre-record of decision site investigation activities to be completed by December 31, 2008. Site characterization information generated from TPA remedial investigation and LLBG RCRA permitting activities has been used in development of the HSW EIS.

Groundwater monitoring is conducted according to TPA requirements, the Hanford Dangerous Waste Management permit, and DOE Orders. Groundwater monitoring will be expanded as necessary according to agreements between DOE and regulatory agencies to support future waste management operations.

Regulatory Compliance

Comments

E-0055/019

USDOE has been illegally transferring wastes to Hanford from Superfund sites at other USDOE facilities and privately owned Superfund sites. In the revised draft HSWEIS, USDOE proposes to illegally authorize continued and expanded use of Hanford's Low-Level Burial Ground trenches for disposal of offsite LLW and "storage" of offsite TRU from such Superfund sites; and, to illegally dispose of offsite MW from such Superfund sites.

Section 9621 of Superfund (CERCLA) prohibits transfer of offsite wastes from other Superfund sites to Hanford.

42 USC 9621(d)(3) prohibits transfer of a hazardous substance, pollutant or contaminant from any other Superfund site to facilities that are not operating in compliance with the requirements of RCRA (Section 3004 and 3005) and state hazardous waste laws for liners, leachate collection systems, ground water monitoring, etc.... [sic]

Transfers are only permissible if it can be positively certified (by EPA) that the landfill is not releasing any hazardous waste into ground water, surface water or soil; and, all releases from all other facilities at the entire site "are being controlled by a corrective action program" under RCRA.

Response

DOE is not aware of any illegal transfer of waste to Hanford.

Volume I Section 6 identifies the major statutes, permits, compliance agreements, and regulatory requirements followed in conducting operations at Hanford Site. Statutes include AEA, CERCLA, RCRA and the State of Washington Hazardous Waste Management Act. Volume I Section 6.3 discusses the TPA. Volume I Section 6.4 discusses the Dangerous Waste Management permit. Volume I Section 6.19 provides a summary of existing and potential permits (including state approved permits where state decision-making will be necessary) required to construct and operate treatment, storage, and disposal facilities related to the HSW EIS alternatives. Volume I Section 6 has been updated and revised in response to comments in the final HSW EIS.

Comments

L-0044/068

The text as written states that "RCRA does not apply to any activity or substance that is subject to the Atomic Energy Act except to the extent that such application or regulation is not inconsistent with the requirements of the Atomic Energy Act." The text should be revised to reflect the opinion following. A 1996 letter from Tanya Barnett to Patrick W. Willison states that "RCW 70.105.109 provides that: The department of ecology may regulate all hazardous wastes, including those composed of both radioactive and hazardous components, to the extent it is not preempted by federal law."

L-0044/071

DOE states that "DOE facilities used for the management, storage, treatment, and disposal of radioactive waste and radioactive mixed waste are constructed and operated under the authority of the AEA." In a statement following [a] half page later DOE states that it will "comply with applicable federal, state, and local laws and regulations." Add a clarification that any facility operated for the management of mixed waste must also be constructed and operated in compliance with RCRA/State DW requirements.

Response

See Volume I Section 6.4 regarding hazardous waste management and the applicability of regulations that are not inconsistent with the AEA.

Regulatory Compliance

Comments

TRI-0001/004

The low-level burial grounds are woefully out of compliance. The Department of Ecology's action yesterday [Administrative Order No. 03NWPKW-5494, April 30, 2003] makes that very clear, and it is a welcomed step forward. Wastes have been illegally disposed in the burial grounds for many years.

TRI-0001/005

Since 1992 it has been illegal for expansion or adding new trenches to any landfill in the state of Washington without a liner. And these landfills have mixed waste present and they are subject to that law.

Response

DOE disagrees with the above statements, and the State of Washington Department of Ecology has withdrawn Administrative Order No. 03NWPKW-5494.

The preferred alternative as described in Volume I Section 3.7 is to dispose of low level waste in newly constructed lined disposal facilities as soon as they are available. For purposes of analysis the HSW EIS assumes this would occur by 2007. MLLW is currently being, and will continue to be, disposed of in lined facilities.

However, the use of unlined trenches for disposal of low level waste is an established, legal, and environmentally protective method of low level waste disposal at both DOE and commercial facilities. As such, it is a reasonable alternative, under CEQ regulations, and must be analyzed. The HSW EIS considers a wide range of alternatives for disposal of low level waste in both lined and unlined facilities. Lined trench alternatives include leak detection and leachate collection capabilities. In addition, groundwater monitoring would be done in compliance with applicable RCRA and State hazardous waste, TPA, and DOE requirements to validate the performance of the disposal facilities.

Volume I Section 6 identifies the major statutes, permits, compliance agreements, and regulatory requirements followed in conducting operations at Hanford Site. Statutes include AEA, CERCLA, RCRA and the State of Washington Hazardous Waste Management Act. Volume I Section 6.3 discusses the TPA. Volume I Section 6.4 discusses the Dangerous Waste Management permit. Volume I Section 6.19 provides a summary of existing and potential permits (including state approved permits where state decision-making will be necessary) required to construct and operate treatment, storage, and disposal facilities related to the HSW EIS alternatives. Volume I Section 6 has been updated and revised in response to comments in the final HSW EIS.

Comments

THR-0020/002

What I want to say to the panel is have the levels of safety been lowered to accept these new shipments? Safety standards get lowered all the time. And in order to make more shipments come into Hanford, have the safety standards been lowered so that you guys [DOE Richland] can accept these new levels, these new shipments of toxic waste?

Response

No safety standards have been lowered with regard to shipments of waste to Hanford.

Volume I Section 6 identifies the major statutes, permits, compliance agreements, and regulatory requirements followed in conducting operations at Hanford Site. Statutes include AEA, CERCLA, RCRA and the State of Washington Hazardous Waste Management Act. Volume I Section 6.3 discusses the TPA. Volume I Section 6.4 discusses the Dangerous Waste Management permit. Volume I Section 6.19 provides a

Regulatory Compliance

summary of existing and potential permits (including state approved permits where state decision-making will be necessary) required to construct and operate treatment, storage, and disposal facilities related to the HSW EIS alternatives. Volume I Section 6 has been updated and revised in response to comments in the final HSW EIS.

Treated wastes must meet applicable regulatory standards and waste acceptance criteria prior to disposal at Hanford.

Comments

L-0044/047

CRD, p.3.86 Original comment #47 questioned the assumption that the LLBGs would ultimately be closed with a cap and also cited the need for closure decisions to go through the permitting process. DOE's response was that MLLW units will be closed via WAC 173-303-610. However, all of the LLBG is a TSD and, as such, must comply with WAC requirements for closure and post-closure care. Again, it looks like DOE is writing off the RCRA requirements associated with the entire LLBG – including the unlined trenches.

Response

For purposes of analysis this EIS assumes in all action alternatives that the Modified RCRA Subtitle C barrier would be installed over all of the LLBGs.

Volume I Section 6 identifies the major statutes, permits, compliance agreements, and regulatory requirements followed in conducting operations at Hanford Site. Statutes include AEA, CERCLA, RCRA and the State of Washington Hazardous Waste Management Act. Volume I Section 6.3 discusses the TPA. Volume I Section 6.4 discusses the Dangerous Waste Management permit. Volume I Section 6.19 provides a summary of existing and potential permits (including state approved permits where state decision-making will be necessary) required to construct and operate treatment, storage, and disposal facilities related to the HSW EIS alternatives. Volume I Section 6 has been updated and revised in response to comments in the final HSW EIS.